

**Office of the Tompkins County District Attorney  
Ithaca Police Department**

*Distracted Driving Diversion Course*

Motorists charged with Use of a Mobile Telephone, VTL 1225-c, and Use of a Portable Electronic Device, VTL 1225-d, may avoid the five-point DMV penalty associated with conviction under these offenses if they take the one-hour Distracted Driving Diversion Course ("the Course") offered by the Ithaca Police Department. This approach to distracted driving is available only to motorists charged with these offenses in the City of Ithaca. The Course, taught by police officers, presents information about the dangers of distracted driving.

Upon proof of completion of the Course, the Office of the District Attorney will offer the motorist the opportunity to enter a plea to Opening a Car Door Unsafely, VTL 1214 (zero points). The District Attorney's Office will then recommend a fine to be assessed by the Court along with the mandatory surcharge in the total amount of \$120.00 (fine of \$32.00 and surcharge of \$88.00).

A plea agreement based on a motorist's completion of the Course constitutes an alternative to a trial on the charge of VTL 1225-c or VTL 1225-d. Of course, motorists are free to pursue their right to a trial before a judge of the Ithaca City Court.

Here's how the Distracted Driving program works:

The motorist will see the Assistant District Attorney (ADA) in the Ithaca City Court (third floor) at noon on a Wednesday following issuance of the ticket. The motorist will bring a copy of his or her DMV Driver Abstract. Motorists should pay careful attention to the mandatory appearance date presented on the traffic ticket.

If the motorist wants to participate in this point-reduction program, the ADA will provide information about the date, time and place of the Course. The Course is given at 6:00 p.m. on the first Tuesday of each month in the Borg Warner Conference Room of the Tompkins County Public Library, located at 101 East Green Street, Ithaca, New York.

Upon completion of the Course, a member of the Ithaca Police Department will provide proof to the motorist, as well as a plea form by which the motorist may enter a guilty plea to the reduced offense. The motorist will then return the signed plea form to the City Court Clerk's office (second floor) and make arrangements to pay the fine and surcharge.

The Course is not available when the motorist is charged with distracted driving along with any Penal Law offense or crime. The Course is available to first-time distracted driving offenders only.

Both the Office of the District Attorney and the Ithaca Police Department hope that the Course educates motorists about the consequences, sometimes fatal, of distracted driving.

According to the National Highway Traffic Safety Administration, in 2015, 3,477 people were killed and 391,000 were injured nationwide in crashes involving a distracted driver. The Distracted Driving Diversion Course is designed to reduce the risk of these consequences in the local community.

Matt Van Houten  
Tompkins County District Attorney

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In order to influence a positive change in driver behavior in regards to distracted driving, a Distracted Driving Diversion Class has been created in the City of Ithaca, presented by Ithaca Police Officers. During the class information will be shared regarding the data and dangers of distracted driving.

### **Distracted Driving Diversion Class**

#### **Frequently Asked Questions**

**Where and when is the class?** The Class is held the 1<sup>st</sup> Tuesday of every month except November at the Tompkins County Public Library in the Borg Warner Room. The class begins at 6pm.

**Do I have to register for the class?** You do not need to register for the class, attendance is open.

**What do I need to bring to the class?** You must have your ticket and Driver's License or you will not get credit for the class.

**How long is the class?** The class is approximately 1 hour long.

**What if I'm late?** Plan to be 10 to 15 minutes early. No entry will be permitted into the class after 6pm.

**This is not my first ticket for distracted driving, but I haven't attended a class, can I still get a reduction?** You are only eligible for a reduction by attending the class for your first offense. If the ticket is your first distracted driving offense, and if you did not receive any other charges at the same time, you are eligible for a reduction.

**The Library's website says it is closed, is there still a class?** Even when the library is closed, the class will still be held. If the library is closed, entry into the library should be made through the east side door near the bus shelter.

**Can I attend even if I didn't get a ticket?** The classes are open to the general public, and everyone is encouraged to attend.

**Do I have to go to court after the class to get the reduction?** When the class is over, the defendant will be issued a plea form by which the motorist may enter a guilty plea to the reduced offense. The motorist will then return the signed plea form to the City Court clerk's office and make arrangements to pay the fine and surcharge. You may submit the ticket and the plea letter either by mail or in person to the City Court, 118 E. Clinton Street, Ithaca, NY 14850

**Are other charges eligible for a reduction by attending the class?** Only charges of Use of a Mobile Telephone, VTL 1225-c, and Use of a Portable Electronic Device, VTL 1225-d, are eligible for reduction by attending the class.

**Where should I park?** In addition to limited on-street parking, there are two parking garages in the immediate vicinity of the Tompkins County Public Library where the class is held. The Green Street Parking Garage (122 E Green St) is located across the street from the library. The Cayuga Street Garage (235 S Cayuga St) is located next to the library.

**What else should I know?** Cell phone / electronics use is prohibited during the class so please plan ahead.

Only tickets issued in the City of Ithaca returnable to Ithaca City Court are eligible for a reduction by attending the class.

This class is sponsored by the Ithaca Police Department, Tompkins County Office of the District Attorney and the Tompkins County Public Library